

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

|                                       |   |                        |
|---------------------------------------|---|------------------------|
| KASSANDRA COOPER, individually,       | ) |                        |
| and as a representative of the class, | ) |                        |
|                                       | ) |                        |
| Plaintiff,                            | ) |                        |
|                                       | ) |                        |
| v.                                    | ) | Civil Action No.       |
|                                       | ) | 1:16-cv-001546-LMM-CMS |
| ACADEMY MORTGAGE                      | ) |                        |
| CORPORATION (UT),                     | ) |                        |
|                                       | ) |                        |
| Defendant.                            | ) |                        |
| _____                                 | ) |                        |

**DEFENDANT’S MOTION TO DISMISS PLAINTIFF’S  
AMENDED COMPLAINT**

Pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure, Defendant Academy Mortgage Corporation (“Academy”), respectfully moves the Court to enter an order dismissing Plaintiff Kassandra Cooper (“Plaintiff”)’s Amended Complaint [Doc. 41] with prejudice based on a lack of subject matter jurisdiction, as well as for failure to state a claim upon which relief can be granted. Academy further requests that certain immaterial and impertinent portions of the Amended Complaint be stricken pursuant to Fed. R. Civ. P. 12(f).

This Motion is supported by the accompanying Memorandum of Law, by the Amended Complaint and its exhibits, and, if the Court orders, by the arguments

of counsel.

Dated: May 12, 2017

SNELL & WILMER L.L.P.

By: /s/ Joseph A. Kroeger

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*Attorneys for Defendant Academy  
Mortgage Corporation*

**CERTIFICATE OF COMPLIANCE AND SERVICE**

The undersigned certifies that on May 12, 2017 the foregoing Defendant's Motion to Dismiss was: (1) prepared in accordance with LR 5.1, ND Ga., using Times New Roman 14 point font; and (2) electronically with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

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